

Teresa C. Chow (State Bar No. 237694)
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Attorneys for Defendant
DIRECTTOU, LLC

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JONATHAN HOANG TO, individually and
on behalf of all others similarly situated,

Plaintiff.

V.

DIRECTTOU, LLC,

Defendant.

) CASE NO.: 3:24-CV-06447-WHO

) DECLARATION OF TERESA C.
) CHOW IN SUPPORT OF MOTION TO
) EXTEND TIME TO RESPOND TO
) COMPLAINT (CIV. L.R. 6-3)

) [Filed concurrently with Motion; and
) Proposed Order]

) Initial CMC Date: None
)) Time: None

J. Teresa C. Chow, declare as follows:

1. I am an attorney with the law firm of Baker & Hostetler LLP, counsel of record for Defendant DirectToU, LLC (“Defendant”) in the above-captioned action. I am a member in good standing of the State Bar of California and duly admitted to practice before the above-entitled Court. I submit this declaration in support of Defendant’s Motion to Extend Time to Respond to Complaint (L.R. 6-3). I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently thereto.

2. Plaintiff filed a Complaint in the Superior Court of the State of California, Alameda County, on August 12, 2024.

3. Defendant removed the action to this Court on September 12, 2024.

4. Because of the nature of the claims in this case, the first-filed action in the Southern District of Florida, and defense counsel's competing scheduling issues in other cases, Defendant requires additional time to investigate and analyze the claims and determine the appropriate responsive pleading.

5. My firm reached out to counsel for Plaintiff on September 13, 2024, and September 16, 2024 to request an extension of time. Plaintiff did not respond.

6. The requested extension is not sought for any improper purpose or to delay.

7. No other modifications of time have been sought in this action.

8. The Court has not yet set any discovery cut-off date or trial date, and the requested extension will not alter any other date or event set by the Court.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on September 18, 2024 at Los Angeles, California.

/s/ *Teresa C. Chow*

Teresa C. Chow

CERTIFICATE OF SERVICE

I am employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 600 Montgomery Street, Suite 3100, San Francisco, CA 94111-2806. On September 18, 2024, I served a copy of the within document(s):

DECLARATION OF TERESA C. CHOW IN SUPPORT OF MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT (CIV. L.R. 6-3)

- By EMAIL** by electronically transmitting a copy of the document listed above via email to the address(es) as set forth below, in accordance with the parties' agreement to be served electronically pursuant to Code of Civil Procedure section 1010.6 and California Rule of Court 2.251(a) or court order. No error messages were received after said transmissions.
- By FIRST-CLASS MAIL** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at San Francisco, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- By PERSONAL SERVICE:** by causing to be served on all other parties to this action by requesting that a messenger from Express Network deliver true copies of the above-named documents, enclosed in sealed envelopes addressed as indicated above.
- By NOTICE OF ELECTRONIC FILING:** Counsel who have consented to electronic service have been automatically served by the Notice of Electronic Filing, which is automatically generated by CM/ECF at the time said document(s) was(were) filed, and which constitutes service pursuant to FRCP 5(b)(2)(E).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on September 18, 2024, at San Francisco, California.

Michael Folger

Michael Folger

SERVICE LIST

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8 9 10 11	<i>Attorneys for Plaintiff</i> (via Email and Notice of Electronic Filing)	<i>Attorneys for Plaintiff</i> (via Email and First-Class Mail)

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